

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

KERRY COLLIER

v.

ENHANCED RECOVERY CORP CEO,  
CAPIO PARTNERS CEO

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Civil Action No. 4:16-CV-564  
(Judge Mazzant/Judge Nowak)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On December 2, 2016, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations Plaintiff's Complaint be dismissed without prejudice for want of prosecution and for failure to obey an order (Dkt. #18).

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff's Complaint is **DISMISSED** without prejudice.

All relief not previously granted is **DENIED**. The Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 4th day of January, 2017.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE